



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of	)	
<b>NAVJINDER KAUR BATH</b>	)	
6455 West D Avenue	)	Request ID No. 616819
Kalamazoo	)	
Kalamazoo County	)	
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At the February 14, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Donald B. Weatherspoon, Commissioner

**LICENSING APPEAL ORDER**

On June 13, 2011, Navjinder Kaur Bath (applicant) filed a request to transfer ownership of escrowed 2011 SDD and SDM licenses with Sunday Sales Permit (P.M.) from Wac-N-Pac Corporation located at the above-noted location.

At a meeting held on November 23, 2011, the Commission denied this request under administrative rule R 436.1105(2)(a), (b), and (j) after considering the prior operating record of the applicant, Navjinder Kaur Bath, in the alcoholic liquor business and the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

Kent Bieberich, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 14, 2012 hearing, at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file and Exhibit presented, and discussion of the issue on the record, the Commission finds that the applicant demonstrated a course of action that has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules. The Commission finds significant the TAM® Certification Card presented for Navjinder K. Bath indicating her certification is valid until January 14, 2015. However, the Commission is concerned with the operating record of the applicant's spouse, Palwinder S. Bath, as a licensee of the Commission and selling clerk cited in two (2) controlled buy operations, should the applicant allow Mr. Bath to be employed at the subject location.

The Legislature has been very specific in granting broad authority to the Commission, for example, as stated in MCL 436.1201(2): "Except as otherwise provided in this act, the commission shall have the sole right, power, and duty, to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof." In applying the statutory provisions to the applicant's request, the Commission must take into consideration whether the issuance of the requested licenses and permit would affect the health, welfare, and safety of the general public should Palwinder Bath be involved in the business operation at the subject location. As a condition of approval in this matter, the applicant must submit proof of successful completion of a server training program approved by the Commission for Palwinder Bath prior to his participation, employment or management in the business operation at this location.

The Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request for the reasons stated on the record.

**THEREFORE, IT IS ORDERED that:**

A. The denial order of November 23, 2011 issued in this matter is reversed and the applicant's request is APPROVED, subject to the following:

1. A final inspection to be conducted by the Commission's Enforcement Division to determine that all furniture, fixtures, and equipment have been installed; to determine that adequate inventory has been installed to verify the true nature of the business; to determine that the inside connection (doorway) between the licensed premises and the adjoining building unit has been permanently sealed; and to determine that the establishment meets all requirements of the Michigan Liquor Control Code and Administrative Rules.
2. Receipt by the Commission of documentary proof that Navjinder Kaur Bath withdrew at least \$40,000.00 from the PNC Bank line of credit.
3. Receipt by the Commission of documentary proof that Navjinder Kaur Bath received a loan in the amount of \$50,000.00 from Michigan Commerce Bank.
4. The licensee must submit proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject licenses and permit until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.
5. Under administrative rule R 436.1107, the licensee must submit all license fees to the Commission by April 30<sup>th</sup> of each year.
6. Under administrative rule R 436.1003, the licensee must comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of these licenses and

permit by the Michigan Liquor Control Commission does not waive any of these requirements.

7. The licensee must provide documentary proof to the Commission to demonstrate successful completion of a server training program approved by the Commission for the applicant's spouse, Palwinder Bath, prior to his participation, employment or management in the business operation at this location.
8. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permit.

#### MICHIGAN LIQUOR CONTROL COMMISSION

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Andrew J. Deloney, Chairman

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Teri L. Quimby, Commissioner

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Donald B. Weatherspoon, Commissioner

By its action of February 14, 2012.

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Prepared by:  
Terri Chase, Commission Aide



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of	)	
<b>SGNJ, LLC</b>	)	
1603 Diamond NE	)	Request ID No. 618283
Grand Rapids	)	
Kent County	)	
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At the February 14, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Donald B. Weatherspoon, Commissioner

**LICENSING APPEAL ORDER**

On June 28, 2011, SGNJ, LLC (applicant) filed a request to transfer ownership of a 2011 SDM license from Lexa's Grocery, LLC, to be located at the above-noted location.

At a meeting held on November 23, 2011, the Commission denied this request under administrative rule R 436.1105(2)(a)(b)(d), and (j) after considering the unfavorable recommendation submitted by the Grand Rapids Police Department for this application; the prior operating record of applicant member, Charanvir Singh, in the alcoholic liquor business; and the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

Douglas Mileski, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 14, 2012 hearing, at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission does not find error with the application of the MLCC Code or MLCC Administrative Rules. For the reasons stated on the record, the previous order is affirmed.

THEREFORE, IT IS ORDERED that:

A. The denial order of November 23, 2011, issued in this matter is AFFIRMED.

MICHIGAN LIQUOR CONTROL COMMISSION

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Andrew J. Deloney, Chairman

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Teri L. Quimby, Commissioner

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Donald B. Weatherspoon, Commissioner

By its action of February 14, 2012.

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Prepared by:  
Terri Chase, Commission Aide